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SHERIDAN NEIMARK
ROGER L. BROWDYANNE M. KORNBAU
NORMAN J. LATKER
DIANA MICHELLE SOBO
AOI NAWASHIROOF COUNSEL
JIVER P. COOPER
JAY M. FINKELSTEIN

BROWDY AND NEIMARK, P.L.L.C.

ATTORNEYS AT LAW

PATENT AND TRADEMARK CAUSES

SUITE 300

624 NINTH STREET, N.W.

WASHINGTON, D. C. 20001-5303

TELEPHONE (202)-628-5197

ALVIN BROWDY (1917-1998)

PATENT AGENT

ALLEN C. YUN, PH.D.

TELECOPIER FACSIMILE

(202) 737-3528

(202) 393-1012

E-MAIL

mail@browdyneimark.com

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Mail Stop Patent Application
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 2220203940 U.S. PTO
10/674488Re: Divisional of Application of USSN 09/701,188
Applicants: Hiroharu MATSUOKA et al
Title: HETEROCYCLIC INDOLE DERIVATIVES AND MONO ...
Atty's Docket: MATSUOKA=16A

Sir:

Attached herewith is the above-identified continuation application for Letters Patent including:

- ☐ Application Data Sheet
- ☒ Specification (121-pages), claims (5-pages) and abstract (1 page)
- ☐ Drawings (Figures)
- ☐ **FORMAL** ☐ Informal
- ☒ Declaration and Power of Attorney (2 pages)
- ☐ Newly executed ☒ Copy from prior application no. 09/701,188
- ☐ Information Disclosure Statement with SB/08A and ___ references
- ☐ Applicant claims small entity status. See 37 C.F.R. §1.27.
- ☐ A check (check no. _____) in the amount of \$_____ to cover:
- ☒ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$770.00 to cover:
- ☒ The filing fee calculated as follows (including any preliminary amendment for entry prior to calculation of the filing fee):

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$ 750.00
TOTAL CLAIMS	13 - 20	= 0	x 18	0
INDEPENDENT CLAIMS	2 - 3	= 0	x 84	0-
<input type="checkbox"/> Multiple Dependent Claim Presented			+ 280	--
<input type="checkbox"/> Reduction of 1/2 for Small Entity				
TOTAL FILING FEE				\$750.00

- ☐ Any additional fee required by the filing of an enclosed preliminary or supplemental preliminary amendment (for entry after calculation of the filing fee) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATION
TOTAL		-	=	x 18	
INDEP.		-	=	x 80	
<input type="checkbox"/> Multiple Dependent Claim Presented				+ 270	
<input type="checkbox"/> Reduction by 1/2 for Small Entity					
Total Additional Fee =					

- ☐ Other Fees: _____.
- ☐ Other Attachments: _____.
- ☒ Return Receipt Postcard (in duplicate)

The following statements are applicable:

- ☐ Applicant hereby requests that this application **not** be published pursuant to 35 U.S.C. §122(a). It is certified on behalf of applicant that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.
- ☐ The benefit under 35 USC §119 is claimed of the filing date of:
Application No. _____ in _____ on _____. Certified copies of said priority documents were filed in the progenitor case _ on _____.
- ☐ The present application claims the benefit of U.S. Provisional Appln. No. filed .
- ☒ The present application is a Division of prior Application No. 09/701,188, filed November 27, 2000.
- ☒ The application is (or will be) assigned to CHUGAI SEIYAKU KABUSHIKI KAISHA whose address is
5-1, Ukima 5-chome, Kita-ku, Tokyo 115-8543 Japan.
- ☒ Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A signed statement deleting inventor(s) named in the prior application is attached.
- ☒ Amend the specification by inserting after the title the sentence:
-- This is a Divisional of Serial No. 09/701,188, filed on November 27, 2000, the entire contents of which are hereby incorporated by reference.--
- ☒ Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 09/701,188, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.

- [X] As in the parent application 09/701,188, please associate the present application with **Customer No. 001444** and recognize only the practitioners associated therewith.
- [X] The Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayments to Deposit Account No. 02-4035:
- [X] Any additional filing fees required under 37 CFR §1.16.
- [X] Any patent application processing fees under 37 CFR §1.17.
- [X] The Commissioner is hereby authorized to charge payment of the following fees, based on any paper filed during the pendency of this application or any CPA thereof, to effect any amendment, petition, or other action requested in said paper or credit any overpayments to Deposit Account No. 02-4035:
- [X] Any patent application processing fees under 37 CFR §1.17.
- [] The issue fee set in 37 CFR §1.18 at or before mailing the Notice of Allowance, pursuant to 37 CFR §1.311(b).
- [X] Any filing fees under 37 CFR §1.16 for presentation of extra claims.
- [X] If a paper is untimely filed in this or any CPA thereof by Applicant(s), the Commissioner is hereby petitioned under 37 CFR. §1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 CFR §1.17 to Deposit Account 02-4035.
- [X] The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.

By: 

Anne M. Kornbau

Registration No. 25,884

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